

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

RICHARD W. DAVIS, JR.,

Defendant,

and

DCG REAL ASSETS, LLC, *et al.*,

Relief Defendants.

CASE NO. 3:16-CV-285

**ORDER GRANTING RECEIVER'S
MOTION FOR ALLOWANCE
OF LOST CLAIM**

This matter came before the Court on the *Receiver's Motion for Order Allowing Lost Claim* (the "Motion") filed by A. Cotten Wright, the receiver in this case (the "Receiver"), through counsel, on July 22, 2019 (Doc. No. 265). It appears that notice of the Motion was proper, and no objections were filed in response to the Motion.

In the Motion, the Receiver represented that, on July 18, 2019, she was contacted regarding a claim that was purportedly submitted by email on November 26, 2018. Although the email address in that correspondence appeared to be correct, the Receiver was unable to locate that claim (the "Lost Claim").

The Receiver verified the Lost Claim against the records available to her and, as a result, proposed that the Lost Claim, designated as Claim 171, be allowed in an amount reflecting the difference between the claimant's investments and the distributions to that claimant.

The Court, having reviewed the Motion and the record in this case, has determined that the Motion should be allowed.

IT IS, THEREFORE, ORDERED that the Motion is GRANTED, and Claim 171 is ALLOWED in the amount of \$40,822.57.

SO ORDERED.

Signed: August 9, 2019

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

